

HOUSE BILL 96

By Reedy

AN ACT to amend Tennessee Code Annotated, Title 49,  
Chapter 2, Part 2, relative to persons eligible for  
employment by a local education agency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-2-202(a)(3), is amended by  
deleting subdivision (C) and substituting instead the following:

(C)

(i) This subdivision (a)(3) shall not be construed to prohibit two (2) or more relatives from working for the LEA. If two (2) or more employees who are relatives are within the same direct line of supervision, or become within the same direct line of supervision by marriage or promotion, then the director of schools shall attempt to resolve the issue by transfer of one (1) of the employees. If the director finds that transfer is not feasible, or is not in the best interest of students, then an alternate evaluation plan must be devised for one (1) of the employees.

(ii) Notwithstanding subdivision (a)(3)(C)(i), an LEA shall not employ a person who is a relative of the LEA's director of schools or a relative of a member of the LEA's local board of education unless the commissioner of education approves the relative's employment in writing. This subdivision (a)(3)(C)(ii):

(a) Applies to all offers of employment and employment decisions made by an LEA on or after July 1, 2021;

(b) Does not affect offers of employment or employment decisions made by an LEA before July 1, 2021; and

(c) Does not excuse a member of the LEA's local board of education or the LEA's director of schools from having to comply with the declaration and notice requirements outlined in subdivision (a)(3)(A).

(iii) As used in this subdivision (a)(3)(C), "relative" means a spouse, parent, parent-in-law, child, son-in-law, daughter-in-law, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, or a person who resides in the same household as one of the officials referenced in subdivision (a)(3)(C)(ii).

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.